

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ESTATE OF RONQUALE M DITELLO
SCOTT JR by Special Administrator
Heather Blersch,

Plaintiff,

Case No. 24-cv-0665-bhl

v.

RACINE COUNTY SHERIFF'S DEPARTMENT, et al,

Defendants.

ORDER GRANTING PLAINTIFF'S MOTION TO COMPEL

Plaintiff Estate of Ronquale M. Ditello Scott Jr. is pursuing claims under 42 U.S.C. §1983 based on allegations that Defendants violated his constitutional rights by failing to provide adequate medical care and to conduct wellness checks while he was in custody at the Racine County Jail, resulting in his death. (ECF No. 1.) The Court entered a Scheduling Order on February 14, 2025, and discovery is set to close on October 15, 2025. Plaintiff has filed a Civil Local Rule 7(h) expedited motion asking the Court to order Defendants Racine County Sheriff's Department, Sheriff Christopher Schmalling, Nicholas Caputa, Kevin Turkowski, Matthew Aumend, Chad Schiller, Beckie Knecht, Matthew Perone, Alonso Davalos, Melissa Moran, Courtney Sayer, and Racine County (the "Racine County Defendants") to respond to Plaintiff's written discovery requests. (ECF No. 33.) According to the motion, Plaintiff served interrogatories and requests for production on the Racine County Defendants on May 9, 2025, but, to date, they have failed to respond. (*Id.* ¶3.) Plaintiff further states that counsel unsuccessfully attempted to confer with opposing counsel by email on August 20, 2025 and September 5, 2025, but has still not received the requested discovery. (*Id.* ¶¶4–6.)

The Racine County Defendants have not acquitted themselves well in terms of procedural compliance. They have now also failed to respond to Plaintiff's motion, and the deadline to do so expired. *See* Civ. L. R. 7(h)(2) (E.D. Wis. 2010). Accordingly, the Court will grant the motion as unopposed. The Racine County Defendants are ordered to respond to Plaintiff's interrogatories

and requests for production within fourteen days. Counsel is further cautioned that any further disregard for the procedural deadlines or the Court's orders may result in sanctions.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff Estate of Ronquale M. Ditello Scott Jr.'s Motion to Compel Discovery Responses, ECF No. 33, is **GRANTED**. The Racine County Defendants are ordered to respond to Plaintiff's interrogatories and requests for production within fourteen days of this order.

Dated at Milwaukee, Wisconsin on September 24, 2025.

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge